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COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY
CHAIRMAN

Congress of the United States
House of Representatives
Washington, DC 20515-4304

January 5, 2012

Chairman Jon Leibowitz
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Dear Chairman Leibowitz:

Americans deserve a health care delivery system that reduces costs, expands access, and increases the quality of care available to all citizens. If Washington has any role in deciding the type of care patients receive, it is to create and ensure a vibrant private marketplace for insurance.

Your Commission is currently being asked to approve a merger that could dramatically and devastatingly affect competition in the health care marketplace, and could therefore increase costs, reduce access, and degrade the quality of care available to hundreds of millions of American consumers. The FTC should reject the proposed merger between Express Scripts and Medco Health Solutions immediately.

The proposed merger between these two pharmacy benefit managers (PBM) is not a sign of the free market; it is a symptom of a broken health care delivery system. If allowed to merge, the combined PBM would, according to a U.S. Senate subcommittee that examines antitrust issues, administer 1.14 billion prescriptions annually, handle 41 percent of all prescriptions administered by PBMs, and be nearly twice as large as its nearest competitor. This scenario would allow the company to dominate the market and enable them to squeeze the health care system at the expense of patient choice, access and service.

I work to protect Americans from being forced into health care plans that limit their choice of doctors and medical treatments. I believe those who are happy with their health care coverage should be allowed to keep it, and that all citizens ought to have the freedom to choose the health plan that best meets their needs. Medical decisions should be made by patients and their doctors, not by middlemen. In each of these cases, the merger between Express Scripts and Medco would further damage the health care delivery system. It would threaten jobs, increase costs, and diminish patient health - the last thing our economy needs at this time.

I urge the FTC to take a close look at this proposed merger, at which point I am confident that it will be denied. With kindest regards, I am

Sincerely,



Ralph M. Hall

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